

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CHRISTOPHER W. ROBINSON,)	
)	
Petitioner/Defendant,)	
)	CIVIL NO. 04-cv-496-DRH
vs.)	
)	CRIMINAL NO. 01-cr-30173
UNITED STATES of AMERICA ,)	
)	
Respondent/Plaintiff.)	

MEMORANDUM AND ORDER

HERNDON, District Judge:

This matter is before the Court on Petitioner's motion for relief pursuant to 28 U.S.C. § 2255. Pending in this action are Petitioner's motions to supplement (Docs. 3 and 5). These motions are **GRANTED.**

On March 28, 2002, Petitioner pleaded guilty to conspiring to distribute in excess of 500 grams of cocaine, in violation of 21 U.S.C. § 846. On August 1, 2002, Petitioner was sentenced to 188 months imprisonment, five years supervised release, a fine of \$1,500.00, and a special assessment of \$100.00. The Court of Appeals for the Seventh Circuit dismissed the appeal on April 28, 2003. *See United States v. Robinson*, 63 Fed. Appx. 946 (7th Cir. 2003). On July 20, 2004, Petitioner filed the instant motion under § 2255.

In his motion, the Petitioner raises three grounds for relief: (1) that his trial and sentencing counsel were ineffective in failing to properly explain the elements of the offense of conspiracy, (2) that the Court accepted his guilty plea without properly determining whether there was a factual basis for the plea, in violation of Rule 11(f) of the Federal Rules of Criminal Procedure, and (3) that

his Sixth amendment rights were violated because a jury did not make the drug quantity determination relevant to his sentencing.

The Court **ORDERS** the Government to file a response to Petitioner's motion within **THIRTY (30) DAYS** of the date of this Order. The Government shall, as part of its response, attach all relevant portions of the record.

IT IS SO ORDERED.

DATED: December 19, 2005

/s/ David RHerndon
DISTRICT JUDGE